



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: D. KLUG, et al.

Application No.: 09/837,234

Filing Date: April 18, 2001

For: SUGAR WAFER WITH CONFECTIONERY
FILLING AND METHOD FOR MAKING
SAME

Group Art Unit: 1761

Examiner: Lien Tran

Attorney Docket No.: 88265-4026

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AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to Office Action mailed May 21, 2002, Applicants submit the following amendments and remarks for entry into the above-identified application.

IN THE CLAIMS

Please amend the claims as follows:

C1
1. (Amended) A food product comprising a sugar wafer cone having a filling including a mass of a substantially water-free based confectionery material that has solidified in the sugar wafer from a molten, semi-liquid, or semi-solid mass prior to consumption, so that the cone acts as a handle to keep a user's hands clean during eating of the product and the product combines the pleasure and fun of eating an ice cream cone with the indulgence of a fat-based confection.

C2
10. (Twice Amended) A process for preparing a food product comprising a sugar wafer having a substantially water-free fat based confectionery filling which comprises providing the sugar wafer in a desired shape, introducing a substantially water-free fat-based confectionery in a molten, semi-liquid or semi-solid mass upon or into the shaped sugar wafer, and allowing the confectionery mass to harden to form the food product.

C3
21. (Amended) The process of claim 10, wherein the introducing comprises disposing molten, semi-liquid, or semi-solid mass into the shaped sugar wafer.